

PRODUCT: 83 100-pound bags of wheat flakes at Geneva, N. Y.

LABEL, IN PART: "Maltoid."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles and larvae.

DISPOSITION: March 2, 1950. Default decree of condemnation. The court ordered that the product be delivered to a city zoo, for use as animal feed.

## CONFECTIONERY

15909. Adulteration of candy. U. S. v. 213 Boxes \* \* \*. (F. D. C. No. 28672. Sample No. 62574-K.)

LIBEL FILED: January 5, 1950, District of Connecticut.

ALLEGED SHIPMENT: On or about November 7, 1949, by Kazarian Brothers, from Providence, R. I.

PRODUCT: 213 boxes of candy at Hartford, Conn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 4, 1950. Default decree of condemnation and destruction.

15910. Adulteration of candy. U. S. v. 54 Cases \* \* \*. (F. D. C. Nos. 28639, 28661. Sample Nos. 71277-K, 71282-K, 71283-K.)

LIBEL FILED: January 9, 1950, Southern District of California.

ALLEGED SHIPMENT: On or about December 15, 1949, by the Garlon-Nelson Candy Co., from Texarkana, Ark.

PRODUCT: 54 cases, each containing 12 cartons, of candy at Los Angeles, Calif.

LABEL, IN PART: "Mint Stick Candy" or "Garlon's Peppermint Sticks Trick or Treat."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 10, 1950. Default decree of condemnation and destruction.

15911. Adulteration and misbranding of candy. U. S. v. 13 Cases \* \* \* (and 2 other seizure actions). (F. D. C. Nos. 28316, 28461, 28462. Sample Nos. 57393-K, 57396-K, 57402-K.)

LIBELS FILED: November 25, 1949, District of Connecticut.

ALLEGED SHIPMENT: On or about October 21, 1949, by the Marlon Confections Corp., from New York, N. Y.

PRODUCT: Candy. 208 cartons at Bridgeport, Conn., 92 cartons at Hartford, Conn., and 92 cartons at New Haven, Conn. Each carton contained 24 1½-ounce units.

LABEL, IN PART: (Package) "Marlon Chocolate Double Dipped Strawberries in Cordial."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), artificially colored and flavored grapes had been substituted for strawberries.

Misbranding, Section 403 (a), the label statement "Strawberries in Cordial" and the vignette depicting chocolate cordials surrounded by strawberries were false and misleading; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of the ingredient, grapes.

**DISPOSITION:** February 6, 1950. Default decrees of condemnation. The court ordered that the product be delivered to charitable institutions.

**15912. Adulteration and misbranding of candy. U. S. v. 37 Boxes \* \* \*.**  
(F. D. C. No. 28665. Sample No. 70129-K.)

**LIBEL FILED:** January 17, 1950, District of Nebraska.

**ALLEGED SHIPMENT:** On or about December 2, 1949, by the Sifers Candy Co., from Iola, Kans.

**PRODUCT:** 37 boxes each containing 24 candy bars at Omaha, Nebr.

**LABEL, IN PART:** "Sifers Cocoanut Twins Chocolate Covered Net Weight 1½ OZS."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The candy bars weighed less than the declared 1½ ounces.)

**DISPOSITION:** February 23, 1950. Default decree of condemnation and destruction.

**15913. Misbranding of candy. U. S. v. 60 Boxes \* \* \*.** (F. D. C. No. 28668.  
Sample No. 57100-K.)

**LIBEL FILED:** January 4, 1950, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 17 and 25, 1949, by Bard & Margolies, from Brooklyn, N. Y.

**PRODUCT:** 60 1-pound boxes of candy at Newark, N. J.

**LABEL, IN PART:** "Helen T. Brook Nuts & Fruits Assortment Net Weight One Pound."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The boxes were short of the declared weight.)

**DISPOSITION:** February 14, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

**15914. Adulteration of candied popcorn. U. S. v. 100 Cases \* \* \*.** (F. D. C. No. 28646. Sample No. 67941-K.)

**LIBEL FILED:** On or about January 19, 1950, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about January 5, 1950, by Pop Corning's Co., from Pueblo, Colo.